

PROB 12B
(7/93)

Report Date: January 11, 2006

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 23 2006

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Ralph Charles Loper

Case Number: 2:01CR00176-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley

Date of Original Sentence: 07/11/2002

Type of Supervision: Supervised Release

Original Offense: Distribution of
Methamphetamine, 21 U.S.C. § 841(a)(1)

Date Supervision Commenced: 12/27/2005

Original Sentence: Prison - 27 months;
TSR - 36 months

Date Supervision Expires: 12/26/2008

PETITIONING THE COURT

Special Condition #7: You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but not more than 6 tests per month, in order to confirm continued abstinence from this substance.

CAUSE

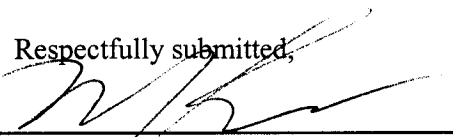
On December 27, 2005, Mr. Loper was released from imprisonment. The Court ordered the offender to abstain from the use of controlled substances and submit to urinalysis testing. This was based on the offender's history of substance abuse.

In order to comply with the United States v. Stephens (9th Cir. 2005) case, the probation office is requesting the Court modify the urinalysis condition which limits the number of urine specimens collected from this offender to not more than six (6) per month. Based on this offender history of alcohol abuse, the probation office believes if Mr. Loper abstains from alcohol use this will further assist him with successfully complying with the other terms of supervised release.

The offender has signed a waiver of hearing agreeing to the above-noted modifications to his supervised release. The waiver is attached.

Respectfully submitted,

by


Missy K. Kolbe
U.S. Probation Officer
Date: January 11, 2006

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer

1/23/2006

Date

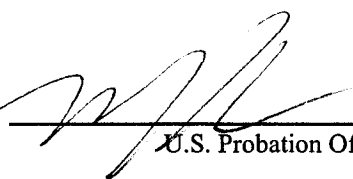
United States District CourtEastern District Washington**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Special Condition #7: You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Witness: _____


U.S. Probation Officer

Signed: _____


Probationer or Supervised Releasee1-3-06
Date